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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,401	12/20/2001	Philip A. March	DON01 P-951	6174

28101 7590 10/29/2002

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EXAMINER

LE, TAN

ART UNIT PAPER NUMBER

3632

DATE MAILED: 10/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

**Office Action Summary**

Application No.

10/032,401

Applicant(s)

MARCH ET AL.

Examiner

Tan Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-128 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-128 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This is the first office action for application serial number 10/032,401, Interior Rearview Mirror Assembly With Polymeric Components, filed on 12/20,2001. This application contains 128 claims numbered 1-128.

***Election/Restriction***

2. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species of figures 1-5

Species of figure 6

Species of figures 7-8

Species of figures 9-14

Species of figure 15

Species of figure 16

Species of figures 17-19

Species of figures 17-19 and 20

Species of figures 17-19 and 21

Species of figures 22-24

Species of figures 25 and 25A-25D

Species of figures 26 and 26A-26D

Species of figures 26E-26F

Species of figures 27 and 27A

Species of figures 28 and 28A-28E

Species of figures 29 and 29A-29I

Species of Figures 30-43A, 44 and 44A, 45 and 45A (see note below)

Species of figure 46

Species of figures 47 and 47A

Species of figures 48 and 48A

Species of figures 49 and 49A

Species of Figure 50

Species of Figures 51-53

Species of Figures 54-57

Species of Figures 58-61

Species of Figures 62-68

Species of Figure 69

Species of Figures 62-68 and 70

Species of Figures 62-68 and 71

Species of Figures 62-68 and 72

Species of Figures 73-77

Species of Figures 78-82

Species of Figures 83-85

Species of Figures 86-89

Species of Figure 90

Species of Figures 91-94

Species of Figures 95-97

Species of Figures 98 and 98A

Species of Figures 99 and 99A

Species of Figures 100 and 100A

Note that Figures 30-40A, 44 and 44A, 45 and 45A represent various shapes for various unspecific embodiments of a vehicle accessory attachment members/windshield mounting button of the present invention. Therefore, prior to making an election, Applicant must identify what figure(s) (including a plan view(s) and a corresponding side elevations) is/are corresponding to what embodiments of a vehicle accessory attachment members/windshield mounting button if desired to be elected one of the above shapes. Applicant should note that the examiner reserves the option of requiring further restriction and/or election, in due course, pursuant to MPEP 821.03, MPEP 811, etc., based on Applicant's response to this office action.

3. Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim appears generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

4. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

5. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed ( 37 CFR 1.143).

6. A telephone call was made to Mr. Donald Gardner on October 25, 2002 to request an oral election to the above restriction requirement, but did not reach.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tan Le, whose telephone number is 703.305.8244. The Examiner can normally be reached on Tuesday through Thursday, 9:00-6:00 and alternating Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie Braun can be reached on (703) 308-2156. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 872-9326 for official communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this Application should be directed to the Group receptionist at 703.308.2168.



**TAN LE**  
**PATENT EXAMINER**

AU 3632  
October 25, 2002.



**LESLIE A. BRAUN**  
**SUPERVISORY PATENT EXAMINER**